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EXAMINER

HUYNH, THU V

| ART UNIT | PAPER NUMBER |
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2178

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,476

Applicant(s)

IDE ET AL.

Examiner

Thu V Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: amendment filed on 11/30/2004 to application filed on 04/06/2001, which has provisional filed on 04/07/2000.
2. Claims 9-10 are amended.
3. Claims 1-13 are pending in the case. Claims 1 and 7 are independent claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 9-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicants stated with respect to claims 9-10 that, support for the claims can be found at least on pages 10 and 11 of the specification”.

However, examiner cannot find the limitations of claims 9-10, specifically at “when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on discriminated content type of a previously obtained content data”.

In order to exam this application, Examiner assumes the limitation of claims 9-10 discussed above as “when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on the content type of the obtained content data”.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. **Claims 1-10 remain rejected under 35 U.S. C. 103(a) as being unpatentable over**

Chu-Carroll et al., US 2003/0212686 A1, provisional filed 03/17/2000 and in view of

Halahmi, US 6,684,088 B1, filed 03/01/2000.

Regarding independent claim 1, Chu-Carroll teaches the steps of:

- a content obtainer for obtaining content data from a desired content server via a network (Chu-Carroll, page 4, paragraphs 53 and 65-66; obtaining a document from a server; examining the document to identify the document type);

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- a content-type discriminator for discriminating a content type of the obtained content data from a plurality of predetermined content types (Chu-Carroll, page 3, paragraph 48 and page 4, paragraphs 66-67 and claim 33; determining the document type to locate a parser that corresponding associated with the document from plurality of parsers. This inherently disclose that many predetermined content types must be included in order to identify a document type); and
- a plurality of parsers corresponding to respective ones of the plurality of predetermined content types, wherein the obtained content data is parsed by a corresponding parser depending on a discrimination result of the step (b) to produce displaying information (Chu-Carroll, page 4, paragraphs 53 and 66-67; and claim 36; parsing the document based on the document type to translate the document into a new document in a suitable data structure);

Chu-Carroll does not explicitly disclose parsing the document to produce displaying information and displaying an obtained content based on the displaying information.

Halahmi teaches the steps of:

- parsing an obtained content data depending on a discrimination result of the step (b) to produce displaying information (Halahmi, col.8, lines 16-18 ; col.9, lines 1-13; 43-60; col.11, lines 1-11 and 21-25; col.13, lines 4-7; parsing a document depending on the type of the document, such as, text, image, HTML, video, or WML type to produce display attributes);
- a display section for displaying an obtained content based on the displaying information (Halahmi, col.13, lines 4-7).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate a document into a suitable document as Chu-Carroll disclosed in paragraph 53, as well as a document in WML structure that can be displayed on a small device.

Regarding claim 2, which is dependent on claim 1. Halahmi teaches wherein the plurality of predetermined content types are determined by respective ones of information description languages having no compatibility with each other" is included (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the header information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate any document type into a suitable document as Chu-Carroll disclosed in paragraphs 53, 71 and 140, as well as in a WML structure that can be displayed on a small device.

Regarding claim 3, which is dependent on claim 2, Halahmi teaches wherein the information description language include HTML (Hypertext Markup Language) and WML (Wireless Markup Language) (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the header information to identify different content types, such as text, image, TIFF, HTML, video or WML).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate any document type including a WML type into a suitable document as Chu-Carroll disclosed in paragraphs 53, 71 and 140.

Regarding claim 4, which is dependent on claim 1, Chu-Carroll teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data (Chu-Carroll, page 4, paragraphs 66-68, finding a marker at the first few lines of the document or top-level tag to identify the document type).

Regarding claim 5, which is dependent on claim 1, Halahmi teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a content-type indicating code included in a protocol header of the obtained content data (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the protocol header for information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's teaching into Chu-Carroll to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 6, which is dependent on claim 1, Chu-Carroll teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data (Chu-Carroll, page 4, paragraphs 66-68, finding a marker at the first few lines of the document or top-level tag to identify the document type).

Halahmi teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a content-type indicating code included in a protocol header of the obtained content data (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the protocol header for information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's teaching into Chu-Carroll to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding independent claim 7, Chu-Carroll teaches the steps of:

- a) obtaining content data from a desired content server via a network (Chu-Carroll, page 4, paragraphs 53 and 65-66; obtaining a document from a server; examining the document to identify the document type);

- b) discriminating a content type of the obtained content data from a plurality of predetermined content types (Chu-Carroll, page 3, paragraph 48 and page 4, paragraphs 66-67 and claim 33; determining the document type to locate a parser that corresponding associated with the document from plurality of parsers. This inherently disclose that many predetermined content types must be included in order to identify a document type);
- c) parsing the obtained content data depending on a discrimination result of the step (b) to produce a new document (Chu-Carroll, page 4, paragraphs 53 and 66-67; and claim 36; parsing the document based on the document type to translate the document into a new document in a suitable data structure);

Chu-Carroll does not explicitly disclose parsing the document to produce displaying information and displaying an obtained content based on the displaying information.

Halahmi teaches the steps of:

- parsing an obtained content data depending on a discrimination result of the step (b) to produce displaying information (Halahmi, col.8, lines 16-18 ; col.9, lines 1-13; 43-60; col.11, lines 1-11 and 21-25; col.13, lines 4-7; parsing a document depending on the type of the document, such as, text, image, HTML, video, or WML type to produce display attributes);
- displaying an obtained content based on the displaying information (Halahmi, col.13, lines 4-7).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate the document

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into a suitable document as Chu-Carroll disclosed in paragraph 53, as well as a document in WML structure that can be displayed on a small device.

Regarding claim 8, which is dependent on claim 7, Chu-Carroll teaches wherein the step(b) comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types (Chu-Carroll, page 4, paragraphs 66-67 and claim 33; determining the document type to locate a parser that corresponding associated with the document from plurality of parsers. This inherently discloses that many predetermined content types must be stored in order to identify a document type and corresponding associated parser);
- b2.) searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Chu-Carroll, page 4, paragraphs 66-68, finding a marker at the first few lines of the document or top-level tag to identify the document type).

Chu-Carroll teaches many ways to identify the content type of the document, such as using schemas, top-level tag. However, Chu-Carroll does not explicitly disclose the step:

- b.3) when no match is found in step (b.2), checking a content type indicating code included in a protocol header of the obtained content data to discriminate the content type of the obtained content data.

Halahmi teaches the steps of:

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- checking a content type indicating code included in a protocol header of the obtained content data to discriminate the content type of the obtained content data (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the protocol header for information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's teaching into Chu-Carroll to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 9, which is dependent on claim 7, Chu-Carroll teaches wherein said discriminating step comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types storing a plurality of unique codes each indicating the plurality of predetermined content types (Chu-Carroll, page 4, paragraphs 66-67 and claim 33; determining the document type to locate a parser that corresponding associated with the document from plurality of parsers. This inherently discloses that many predetermined content types must be stored in order to identify a document type and corresponding associated parser);
- b.3) searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the

obtained content data (Chu-Carroll, page 4, paragraphs 66-68, finding a marker at the first few lines of the document or top-level tag to identify the document type); and the step (c) comprises the step of:

- c.1) when it is determined that the obtained content data is described in the predetermined information description language, parsing the obtained content data based on description of the predetermined information description language to produce the displaying information (Chu-Carroll, page 4, paragraphs 66-67 and claim 33); and
- c.2) when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on the discriminated content data type of a previously obtained content data (Chu-Carroll, page 4, paragraphs 66-67 and claim 33; refer to 35 U.S.C. 112, first and second paragraphs, Chu-Carroll teaches providing a corresponding parser based on any document content type).

Chu-Carroll does not explicitly disclose checking a protocol header of the obtained content data to determine whether the obtained content data is described in a predetermined information description language and when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on the discriminated content data type of the obtained content data

Halahmi teaches the steps of:

- checking a content type indicating code included in a protocol header of the obtained content data to discriminate the content type of the obtained content data (Halahmi,

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col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the protocol header for information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's teaching into Chu-Carroll to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 10, which is dependent on claim 1, Chu-Carroll teaches wherein said discriminating step comprises the steps of:

- a) storing a plurality of unique codes each indicating the plurality of predetermined content types (Chu-Carroll, page 4, paragraphs 66-67 and claim 33; determining the document type to locate a parser that corresponding associated with the document from plurality of parsers. This inherently discloses that many predetermined content types must be stored in order to identify a document type and corresponding associated parser);
- b) when it is determined that the code is not text data, parsing the obtained content data based on discriminated content type of a previously obtained content data (Chu-Carroll, page 4, paragraphs 66-67 and claim 33; refer to 35 U.S.C. 112, first and second paragraphs, Chu-Carroll teaches providing a corresponding parser based on any document content type).

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Gillon teaches the steps of:

- checking a code arranged at a predetermined location of the obtained content data to determine whether the code is text data (Gillon, col.5, lines 38-67 and col.7, lines 3-9; identifying the content type, such as “text/HTML” by matching the code in a protocol header of the obtained content data with predetermined types);
- when it is determined that the code is not text data, searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Gillon, col.5, lines 38-67 and col.7, lines 3-9; identifying the content type by matching the code in a protocol header of the obtained content data with predetermined types. This inherently discloses that the predetermined types must be stored in order matching process).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon’s text/HTML type into Chu-Carroll and Halahmi to identify a type of a document, since the combination would have provided many predetermined document/content types for translating into a new document besides XML document as Chu-Carroll disclosed, as well Halahmi disclosed when it is determined that the code is text data, parsing the obtained content data based on description of the predetermined information description language to produce the display information (Halahmi, col.9, lines 1-13; 43-60; col.11, lines 1-11 and 21-25; col.13, lines 4-7; parsing a document depending on the type of the document, such as, text, image, HTML, video, or WML type to produce display attributes).

8. Claims 11-13 remain rejected under 35 U.S. C. 103(a) as being unpatentable over

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Chu-Carroll in view of Halahmi as applied to claims 7 and 9-10 above, and further in view of Gillon et al., US 5,838,927, filed 11/1996.

Regarding claim 11, which is dependent on claim 7, Gillon teaches wherein the said discriminating step comprises the steps of:

- a) storing a plurality of file name extensions used in predetermined communication protocol, each of the file name extensions indicating the plurality of predetermined content types (Gillon, col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermined types. This inherently discloses that the predetermined types must be stored in order matching process); and
- b) searching the plurality of file name extensions for a file name extension of the obtained content data to discriminate the content type of the obtained content data (Gillon, col.5, lines 38-67 and col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermine types. This inherently discloses searching process must be occurred in order matching the file extension of the obtained file with predetermine types).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon's teaching into Chu-Carroll to identify a type of a document, since the combination would have provided many techniques are used to identify the document type when either one of the techniques can not verify the document type.

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Regarding claim 12, which is dependent on claim 9, Gillon teaches wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Gillon, col.5, lines 38-67 and col.7, lines 3-9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon's text/HTML type into Chu-Carroll and Halahmi to identify a type of a document, since the combination would have provided many predetermined document/content types for translating into a new document besides XML document as Chu-Carroll disclosed, as well Halahmi disclosed many other type of documents (Halahmi, col.9, lines 1-13; 43-60; col.11, lines 1-11 and 21-25; col.13, lines 4-7; type of the document, such as, text, image, HTML, video, or WML type).

Regarding claim 13, which is dependent on claim 10, wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Gillon, col.5, lines 38-67 and col.7, lines 3-9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon's text/HTML type into Chu-Carroll and Halahmi to identify a type of a document, since the combination would have provided many predetermined document/content types for translating into a new document besides XML document as Chu-Carroll disclosed, as well Halahmi disclosed many other type of documents (Halahmi, col.9, lines 1-13; 43-60; col.11, lines 1-11 and 21-25; col.13, lines 4-7; type of the document, such as, text, image, HTML, video, or WML type).

Response to Arguments

9. Applicant's arguments filed 11/30/2004 have been fully considered but they are not persuasive.

Applicants state with respect to claims 9-10 that, "support for the claims can be found at least on pages 10 and 11 of the specification".

This is not persuasive. Examiner cannot find the limitation of "parsing the obtained content data based on the discriminated content type of a previously obtained content data" as claimed.

Applicants argue with respect to claims 1 and 7 that, "there is no motivate to combine the cited references".

This is not persuasive. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Chu-Caroll teaches parsers to parse obtained data or documents. Chu-Caroll teaches parsing documents/obtained data to translate the documents/obtained data to suitable data structure using parsers (Chu-Caroll, [0053], [0066]). Halahmi teaches parsing documents/obtained data to translate the documents/obtained data to WML (Halahmi, col.9, lines 61-67 and figures 3A-3B). Therefore the combination of Chu-Carroll and Halahmi is proper and

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and Halahmi is proper and obvious to an ordinary skill in the art to parse and translate document into a suitable document as Chu-Carroll disclosed in paragraph 53, as well as a document in WML structure that can be displayed on a small device.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

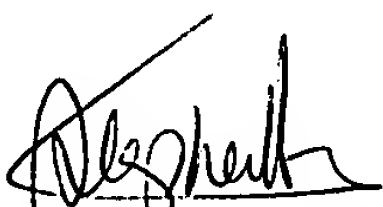
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 273-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 273-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
April 7, 2005


STEPHEN HONG
SUPERVISORY PATENT EXAMINER